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## Senate

The Senate met at 3:04 p.m. and was called to order by the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

We praise You, O God, for the opportunity to serve You and country. May we refuse to boast about tomorrow, as we trust You completely to guide our steps.

Today, sustain our Senators in their legislative work of sowing and reaping. May they faithfully plant and water the seeds of truth, justice, and peace. Lord, give them the wisdom to cultivate the soil of debate with kindness and civility. Whatever they do, in word or deed, may they do all in and for Your honor.

And, Lord, we thank You for the legacy of our first President, George Washington. We pray in Your mighty Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mrs. MURRAY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 27, 2023.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable TAMMY DUCKWORTH, a Senator from the State of Illinois, to perform the duties of the Chair.

PATTY MURRAY,  
President pro tempore.

Ms. DUCKWORTH thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADERSHIP TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### READING OF WASHINGTON'S FAREWELL ADDRESS

The ACTING PRESIDENT pro tempore. Pursuant to the order of the Senate of January 24, 1901, as modified by the order of January 21, 2023, the Senator from Oklahoma, Mr. LANKFORD, will now read Washington's Farewell Address.

Mr. LANKFORD. In 1781, the Revolution had actually ended. The war had stopped. George Washington, then as the Commander in Chief of the Continental Army, continued to be able to stay on to be able to lead the Army until 1783, until the new government could be formed. In 1783, he came to Annapolis, MD, and Commander in Chief George Washington resigned his commission of the military.

Now, we don't see that as a significant event, but it is one of the most significant events at the beginning of our Nation because, in the past, if you led the Army and you won the war, you would become the leader based on the fact that the Army is behind you. That is the way it had always been in every place, in every country. If you had the Army, you have the power.

George Washington approached the civilian government in the beginnings of a new Republic, resigned his commission, and stepped back to being a private citizen. That event is so significant, John Trumbull, his painting

hangs in the Rotunda of the U.S. Capitol right now. That painting has been hanging there since 1824. In fact, the painting of George Washington resigning his commission is actually older than the dome that it is under.

We don't think about a military leader taking over the United States. That is unthinkable for us because of the path that George Washington laid down behind us.

He did a lot of firsts in a lot of his leadership. He was our first President. He was a civilian leader. After one term, he wanted to be able to step down. In fact, he and Madison actually wrote together a letter to be able to go out to the American people after his first Presidency, but so many people came to him and encouraged him to be able to run again that he relented and ran again. But at the end of his second term, he would not relent and had determined he was not a King, he was not the only person who could lead these new United States, but it was time, after 45 years, for him to step aside.

And this time, with the help of another gentleman whom he had worked with for a long time named Alexander Hamilton—they had served together, even since the Continental Army. He and Alexander Hamilton wrote an address to the American people. This was to be the end of his Presidency and of his public service. It was actually—interestingly enough, it is referred to as “George Washington's Farewell Address,” but he never actually spoke it. They wrote it, and then they published it together.

Many people don't know that George Washington didn't like speaking in public and wasn't akin to coming to make big public speeches. So they published it, and it became a signature.

This speech begins with a farewell to the Nation, saying: I am stepping aside as President of these United States. Then he goes on to be able to challenge the Nation in multiple areas, beginning with being careful in the days ahead.

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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He saw the seeds of factions and of political parties beginning to rise, and he challenged the Nation. He challenged the Nation to be able to hold fast to its faith and to be able to live the principles of its faith.

He challenged the Nation on the issue of debt and to be able to say don't be a nation that carries a lot of debt. You will have times of war when you will have to carry it, but pay it off as quickly as possible.

He challenged the Nation in the issue of foreign entanglements and foreign alliances, and he challenged the Nation to forgive him of any mistakes that he might have made while he was leading the Nation.

This nonspeech speech that he presented to the Nation has become a signature for now more than two centuries. It wasn't set aside. In fact, during the Civil War, for the first time, Members of Congress gathered on the other side of the building in the brandnew House Chamber in 1862, where House and Senate, with all the military leadership, gathered together in one room and read it out loud as a reminder to the Nation of our beginnings and as an encouragement to all the legislators during the Civil War.

It was set aside again until 1893 when the Senate picked it back up again and a Senator was chosen to be able to read it out loud to the Senate. It was done in 1893 and 1894 and then stopped in 1895 but then picked up again in 1896 and has been read every single year since 1896, in this Chamber, right around George Washington's birthday—a fitting tribute to a President who did much to be able to establish who we are as a country.

I am honored today to be the one selected to be able to speak this speech. I am also honored to be able to note that I am the first Oklahoman in the history of the Senate to actually read this speech out loud in the Senate.

Now, we are a young State. We have only been a State since 1907, but we have only been reading it out loud since 1893. So we have been there for most of the time. So I am honored to be able to give to you "George Washington's Farewell Address" and his look to the future of our Nation to say: These are the things I would request that you do not forget.

Mr. LANKFORD at the rostrum, read the Farewell Address, as follows:  
*To the people of the United States*

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country—and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me have been a uniform sacrifice of inclination to the opinion of duty and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety and am persuaded, whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say that I have, with good intentions, contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me, still more for the steadfast confidence with which it has supported me and for the opportunities I have thence

enjoyed of manifesting my inviolable attachment by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise and as an instructive example in our annals that, under circumstances in which the passions agitated in every direction were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging, in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guarantee of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free constitution, which is the work of your hands, may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this

truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts—of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South in the same intercourse, benefitting by the agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvement of interior communications by land and water will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies

requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find in the united mass of means and efforts greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value! they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same government, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence likewise they will avoid the necessity of those overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—northern and southern—Atlantic and western; whence designing men may endeavor to excite a belief that there is a real difference of

local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations. They tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head. They have seen in the negotiation by the executive—and in the unanimous ratification by the Senate—of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the general government and in the Atlantic states unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union, a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a Constitution of government better calculated than your former for an intimate Union and for the efficacious management of your common concerns. This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your government and the permanency of your present happy state, it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which will impair the energy of the system and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions, that experience is the surest standard by which to test the real tendency of the existing constitution of a country, that facility in changes upon the credit of mere hypotheses and opinion exposes to perpetual change from the endless variety of hypotheses and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable; liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is indeed little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of

them on geographical discriminations. Let me now take a more comprehensive view and warn you in the most solemn manner against the baneful effects of the spirit of party, generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight) the common and continual mischiefs of the spirit of party are sufficient to make it the interest and the duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, foment's occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true—and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration to con-

fine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule indeed extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that in the course of time and things the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded and that in place of them just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling

occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times, it makes the animosity of the nation subservient to projects of hostility instigated by pride, ambition and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions, by unnecessarily parting with what ought to have been retained and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld. And it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray or sacrifice the interests of their own country without odium, sometimes even with popularity, gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak towards a great and powerful nation dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens) the jealousy of a free people ought to be constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy to be useful must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike of another cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and

odious, while its tools and dupes usurp the applause and confidence of the people to surrender their interests.

The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence therefore it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we re-main one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interest guided by justice shall counsel.

Why forgo the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world—so far, I mean, as we are now at liberty to do it, for let me not be understood as capable of patronizing infidelity to existing engagements (I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy)—I repeat it therefore, let those engagements be observed in their genuine sense. But in my opinion it is unnecessary and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce but forcing nothing; establishing with powers so disposed—in order to give to trade a stable course, to define the rights of our merchants,

and to enable the government to support them—conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another—that it must pay with a portion of its independence for whatever it may accept under that character—that by such acceptance it may place itself in the condition of having given equivalents for nominal favors and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish—that they will control the usual current of the passions or prevent our nation from running the course which has hitherto marked the destiny of nations. But if I may even flatter myself that they may be productive of some partial benefit, some occasional good, that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism—this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far in the discharge of my official duties I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April 1793 is the index to my plan. Sanctioned by your approving voice and by that of your representatives in both houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take—and was bound in duty and interest to take—a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat, in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow citizens the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.  
UNITED STATES, 19th September 1796.

#### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Jamar K. Walker, of Virginia, to be United States District Judge for the Eastern District of Virginia.

##### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

##### FOREIGN POLICY

Mr. McCONNELL. Madam President, like a number of Senators on both sides of the aisle, I spent the first part of last week meeting with our NATO allies and our European partners in Munich.

In Munich, we met an array of world leaders, including a bipartisan meeting with German Chancellor Scholz. It is clear from our meetings in Munich that Europe is moving in the right direction, but more must be done across the alliance to rebuild our defense capacity and to give Ukraine the weapons they need to defeat Russia's aggression.

After the Munich Security Conference, Senators TILLIS, ERNST, BUDD, BRITT, RICKETTS, and I continued on to meet with more American partners in both Europe and the Middle East, where we met up with Senator MULLIN as well. We met with both President Herzog and Prime Minister Netanyahu in Israel, with the Crown Prince of Saudi Arabia, with the President of the UAE, as well as the President of Finland.

We had the pleasure of meeting some of our own American diplomats and civilian personnel who were on the ground advancing our Nation's interests in each of these places. I was especially happy to meet some of the men and women serving in our Armed Forces who are onsite at installations in these countries or stationed protecting our Embassies. It was a great honor to run into some fellow Kentuckians serving in the 380th Air Expeditionary Wing at Al Dhafra Air Base in the UAE.

Here in Washington, you hear American leadership in the world discussed and debated like it is some fuzzy concept or abstract principle, but let me tell you, when you travel to Europe, when you travel to the Middle East, when you meet with the civilian and military leadership in those nations that are America's friends and wish us well—well, there is nothing unclear about the importance of America's leading role in the world. Our friends in Europe know beyond any doubt that peace and prosperity depend on a strong and involved America. Our partners in the Middle East know without a doubt that security and stability rely on a strong and involved America.

We are the indispensable Nation. Our superpower status is paramount—not just for these other countries but even more importantly, for our own interests here at home. Putting up our drawbridge and pretending we can go it alone as “Fortress America” will not cut it—will not cut it—in the 21st century. It would put the future of our economic security, energy security, and national security at enormous risk.

The need for American leadership is palpable. My colleagues and I will have much more to say on this subject in the coming days.

## EAST PALESTINE TRAIN DERAILMENT

Madam President, on another matter, the attention and prayers of the entire Nation have been fixed for the past several weeks on the town of East Palestine and the surrounding area in Northeast Ohio. The derailment of the Norfolk Southern train led to a disastrous chemical release, forcing many from their homes and leaving a community vulnerable. The people of East Palestine are understandably anxious and upset, and of course they deserve answers.

Our colleague the junior Senator from Ohio has been all over this issue. We will continue to work with him to ensure the people of Ohio are appropriately informed and supported in the months to come. We also thank Ohio Governor Mike DeWine for his leadership on the ground.

Unfortunately, this leadership has cut a sharp contrast with the Biden administration's Secretary of Transportation. Even amidst a catalog of crises on his watch, from this and other recent train derailments to the meltdown in air travel back during the holiday season, Secretary Buttigieg has seemed more interested in pursuing press coverage for woke initiatives and climate nonsense than in attending to the basic elements of his day job.

Understandably, there were some initial concerns in my home State of Kentucky about possible impacts since we are downriver, but the good news is that even after careful monitoring by local experts, there is no reason to believe that Kentuckians have anything to worry about. Local water authorities are monitoring the Ohio River's downstream water quality very closely, and thus far they have seen no cause for alarm whatsoever. Every indication is that the situation for Kentuckians is 100 percent normal. Even so, my staff and I remain in close communication with all the relevant utilities and local authorities.

## INFLATION

Madam President, now on one final matter, January was the 21st month in a row with year-on-year inflation of at least 5 percent. The U.S. economy has seen prices rising at an annual rate of 5 percent or more every single month following President Biden's first 100 days. Democrats' reckless spending has made soaring costs a fixture of everyday life for families all across our country. Real-wage declines have become a tragic reality for workers in every single State.

Last week, new data proved yet again that persistent inflation has become actually embedded in our economy. One key measure of consumer behavior, the personal consumption expenditure index, grew at triple the monthly rate from December and at its fastest pace since June of last year. Inflation in the services sector in particular is 5.7 percent higher than it was a year ago.

The Democrats' inflation is not just driving up the prices for groceries and

essentials that families pay themselves at the checkout counter; it is also baked into the costs families pay indirectly through service providers, from plumbers to contractors to medical providers and beyond. In every corner of the economy, workers and businesses are still having to hunker down against the ongoing consequences of Democrats' reckless mistakes.

What an odd time, then, for the Biden administration to declare victory over a problem it helped actually create. The White House Press Secretary declared earlier this month that "the President's economic plan is indeed working." Well, today, 57 percent of Americans say they have less money in their pocket than they did a year ago. Nearly two-thirds say they are living paycheck to paycheck. The White House calls this mission accomplished. The American people call it a nightmare for 2 years and counting.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

## RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

## EAST PALESTINE TRAIN DERAILMENT

Mr. SCHUMER. Madam President, first responders at the State, local, and Federal level continue working around-the-clock helping the people of East Palestine recover from one of the worst train derailments in decades.

The scene in East Palestine over the last month has been the stuff of nightmares: a 38-car derailment; an entire town forced to evacuate; the stench of industrial chemicals and soot hovering in the air; parents scared of their kids' drinking water; and kids anxious about life returning to normal. No community deserves this.

While a full investigation of the derailment has yet to be completed, the Chair of the National Transportation Safety Board said this accident was "100 percent preventable." Again, the NTSB Safety Board Chair said the accident was "100 percent preventable."

The fault of this disaster lies first and foremost with Norfolk Southern. Norfolk Southern's CEO, Alan Shaw, needs to come before the Senate, answer questions under oath, and explain to the American people exactly what went wrong and how they will prevent accidents like this from happening. He should not duck. He should be there. He should come before the Senate, and we are asking Mr. Shaw to do just that.

The American people should hear from Norfolk Southern's CEO precisely why they thought it was a good idea to spend years—years—lobbying to loosen regulations designed to prevent accidents like this. And I especially want to hear why Norfolk Southern, after

seeing a record \$3.3 billion in profits last year, prioritized billions—billions—in stock buybacks instead of putting that money toward safety and toward their workers.

Over the past few weeks, there has been no shortage of opportunists racing to blame the administration for the train derailment. Former President Trump himself showed up in East Palestine and blamed everyone but himself for the tragic accident. But President Trump, as usual, omits a crucial truth: The Trump administration spent years working to loosen safety regulations intended to make these types of accidents less likely.

They are in the behest of the big rail companies. When President Trump entered office, rail companies spent millions to push for repeals on all sorts of safety regulations, from inspection requirements, mandates for newer brakes, and rules governing the number of employees required to operate a train. In one instance, the Trump administration repealed requirements for an electronic braking system because, according to them, the safety benefits were simply not worth the costs.

Let me say that again.

In 2017, the Trump administration decided to repeal the requirements for brake upgrades because they didn't think the safety benefits were worth the cost. I think the people of East Palestine now know that that analysis was wrong and that they are suffering the consequences of rail companies putting profits over people.

Now, I want to be clear: A full investigation is still needed to determine which, if any, safety regulations might have prevented the accident in East Palestine, but you don't need to be an expert to see that, when companies prioritize profits over safety—when they loosen safety rules, lay off thousands of workers, and spend more money on stock buybacks than on preventing accidents—you are flirting with disaster.

It is so typical of Donald Trump. He does the bidding of corporate special interests and it leads to serious harm to the American people. And when he gets caught, he turns around and blames someone else. It just doesn't wash, and the American people see through it. Disasters like the one in East Palestine are precisely what can happen when safety takes a backseat to maximizing profits and when self-aggrandizing politicians like Donald Trump allow and encourage it to happen.

I particularly want to thank my colleagues from Ohio and Pennsylvania for being vigilant in responding to this disaster and working in a bipartisan way to solve it.

I also, of course, want to thank all of the first responders at every level of government for working without rest to keep people safe.

The Senate is going to look into precisely what went wrong in East Palestine. A good first step will be in hearing directly from Norfolk Southern's



CEO. I hope he will work with us in good faith and come before the Senate as soon as possible.

#### CONGRESSIONAL DELEGATION

Madam President, last week, I joined with a number of Senate colleagues in leading my first congressional delegation as majority leader. We went to Germany, India, Pakistan, and Israel. I have only been on one other codel in all of my years as a Senator—back in 2011 with Harry Reid to China.

I thank all of my colleagues for making this trip a success. There were nine of us. Now that we are back, I want to share a few takeaways from our trip that implicate America's national security and our economic future.

First, we relayed a very important message during our meeting with Indian Prime Minister Narendra Modi: India and America are going to need each other to outcompete the Chinese Communist Party.

India is precisely the kind of partner that the United States needs to provide a check against the hostile tactics of the CCP. They are the world's largest democracy—still young compared to its peers—and primed for tremendous growth in the decades to come.

I told the Prime Minister that, if our democracies are to prosper in this century, we are going to have to work together not only to boost our common defense but to promote our mutual prosperity. That means working together to strengthen our economic ties, deepen trade, and make it easier to recruit talented workers from abroad to work in our country.

It also means we must collaborate to establish the norms for the technologies of the future. Right now, the world's democracies are competing with the Chinese Communist Party to dominate the technologies that will rule this century, like artificial intelligence, quantum computing, clean energy, advanced semiconductor manufacturing, and more.

India, the United States, and all of the world's democracies—we are the largest two—must make sure these technologies become vectors of prosperity, not the weapons of autocratic regimes. We have already seen how the Chinese Communist Party uses AI to eavesdrop on its people and prevent them from getting full knowledge or just propaganda. I think the Prime Minister appreciated the point we were making about the need for India and the United States—the two largest democracies—to work together against the CCP hegemony.

India is an amazing country. I was enthralled by it. Incredible. It has a thriving diaspora, many of whom live in New York, here in the United States. Our partnership has a huge potential for growth in the 21st century.

On a second point about our codel, during the codel, we also met with leaders in Pakistan, Germany, and Israel. Much of our discussion with them, as well as with Prime Minister Modi of India, stressed the importance

of standing with Ukraine in its struggle against Russia. We asked each of these leaders to do more. It has been more than a year now since Vladimir Putin began his illegal invasion, and I made it clear to leaders abroad that the worst thing we could do right now is to waver in our support of the Ukrainian people. I warned them that a Russian victory in Ukraine would not mean an end to Putin's escapades and expansionist proclivities so much as it would mean an escalation of his viciousness and desire for more territory.

Success in Ukraine will only embolden Putin if he sees the free nations of the world turn a blind eye to his aggressions. Should Putin win in Ukraine, it would endanger the security of democracies and burgeoning democracies across the world, and I think the leaders I spoke with—the leaders all nine of us spoke with—got that message.

Finally, on a more personal note, I was deeply moved to join with my colleagues to lay wreaths at both the Dachau Concentration Camp in Germany and Yad Vashem in Jerusalem. As the highest ranking elected Jewish leader in U.S. history and the first Jewish majority leader, I used these visits as a chance to reaffirm the Senate's commitment to never forget this dark chapter in human history. At a time when public understanding of the Holocaust is waning, as the next generation is further removed from the horrors—the just sheer horrors—of the past, and as anti-Semitism makes its resurgence at home and around the globe, now more than ever, we must commit to that sacred obligation to never forget.

Elie Wiesel said:

The only thing necessary for the triumph of evil is for good men to do nothing.

We must never remain silent. We must never allow anti-Semitism and bigotry to fester and flourish. We must recommit to never, never again.

I want to thank my colleagues who joined with me at both Dachau and Yad Vashem, and I thank everyone—Members and staff alike—for the incredible job they did and for their excellent work in making our trip fruitful and productive.

#### CHIPS AND SCIENCE ACT

Madam President, finally, Commerce Secretary Gina Raimondo—a great leader, in my opinion—announced recently that, starting tomorrow, the Commerce Department will launch their first application for CHIPS funding, with a focus on chip fab manufacturing facilities.

I will have more to say in the morning, but I just want to reaffirm that, 6 months after CHIPS and Science was passed into law, the benefits are clear and unmistakable: Over \$200 billion in private investment has been announced across 16 States. That includes \$100 billion proposed by Micron to manufacture advanced memory chips in my home State of New York, an investment that will translate into tens of thousands of good, high-paying jobs

and transform Upstate New York, once the manufacturing powerhouse of America. Of course, so many of those jobs went overseas, but CHIPS and Science, high-tech, gives us a great chance to revive that area. This story is being replicated not only in Upstate New York but in many parts of the country that similarly lost jobs over the last decades.

I applaud Secretary Raimondo for rolling out the CHIPS funding—standing up a brandnew, major program—so quickly and efficiently. As you know, the CHIPS and Science bill was a pet of mine, and we worked for 2½ years to get it done.

I also applaud my colleagues from both sides who spent years pushing this bill over the finish line.

This is about laying a crucial foundation to make the United States a global leader in chip production once again, which is critical to our national security and competitiveness, and starting tomorrow, applications will be open to begin to make these significant investments in U.S. industry and in U.S. workers.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### UKRAINE

Mr. CORNYN. Madam President, last week, Vladimir Putin's war on Ukraine hit the 1-year mark—1 year of death and destruction across Ukraine, 1 year of lives and gaslighting from the Russian Government and its paid-off cronies, 1 year of atrocious war crimes committed against innocent people. It has been an unimaginable year of hardship for the Ukrainian people, and it has ushered in a period of global unity not seen in a generation.

One year ago, democracies around the world united in support of the Ukrainian people. The United States and our allies condemned President Putin's unwarranted invasion and took decisive action to help the Ukrainians shape the outcome of this war: sanctions against Russia, military aid for Ukraine, humanitarian assistance for the innocent people who are bearing the true cost of Russia's brutality. It has been a difficult year fueled by both victories and setbacks, but I remain confident and inspired by the courage and the capabilities of the Ukrainian people.

At the start of this war, no one expected Ukraine to keep up the fight as long as it has lasted. They were outmanned, outgunned; and it seemed like a matter of when Ukraine would be defeated, not if.



Over the last 12 months, though, we have witnessed heroic strength and fortitude by the Ukrainian forces and civilians. We have seen a series of setbacks by the Russian Army which was once thought to be among the most capable in the world.

As we marked the 1-year anniversary of this war, the big question in everyone's mind is, What comes next? GEN David Petraeus once said the most important question to ask in any conflict is: How does this end? And in this case, we don't have a clear answer. There is no resolution on the horizon, which has caused many people to doubt America's involvement.

Over the last year, our country has made serious investments in a Ukrainian victory in the form of weapons, equipment, training, and humanitarian aid. These contributions have been integral to Ukraine's success so far, but they have not come without cost. There is the financial cost, which is always a big concern—particularly with a \$30-trillion debt—as well as the prospect of a recession as a result of the Federal Reserve's tightening interest rates in order to stave off the impact of inflation.

There is also the impact on our own military readiness. Our weapons stockpiles have dwindled, and the timeline for replenishment is far too lengthy.

I have heard from my constituents back home in Texas who are deeply concerned about what these costs will mean here at home, and I understand exactly where they are coming from.

This is a tough time for American families due to the ravages of inflation and the uncertainty about their economic future. Our own interests must always come first.

The point that keeps getting lost in this war is that a Ukrainian victory is in our national interest. It is important to our security here at home. America's assistance is not a handout. It is not a charity project. And as much as we want to see Ukraine prevail in this war, our financial support is not entirely altruistic.

The United States isn't just investing in Ukrainian victory, we are also putting our resources toward the defeat of Russian aggression. If history has taught us anything, it has taught us that power-hungry dictators do not accept small gains and call it a day. They just keep on pushing. You don't have to go back very far in our history books to find a good example.

In 2005, President Vladimir Putin said that the collapse of the Soviet Empire "was the greatest geopolitical catastrophe of the century." Clearly, he is doing everything he can to try to reconstitute the former Soviet Union.

President Putin has used his time in power to rebuild Russia's military and try to redraw the map of Europe. In 2008, Russia invaded the Nation of Georgia. In 2014, it invaded Ukraine for the first time since the end of the Cold War, taking the Crimea region. Of course, true to form, Putin's appetite

for conquest is not satisfied. If anything, it made him more hungry for power. And the message that we sent by doing nothing in 2005 and 2014 was he could take all he wanted and there would be no consequence. This time, we can't make the same mistake. Putin must understand that Russian aggression will not be tolerated.

The outcome of this war will determine how Putin's quest proceeds in the future. Will he continue to intimidate neighbors in Europe and invade sovereign nations, or will he crawl back to Moscow, tailed tucked between his legs?

The answer to those questions are very important. Despite the fact that American troops are not engaged in this war, that could change in an instant.

If the next chapter of Putin's war includes the invasion of a NATO partner, the United States and our allies will no longer be on the sidelines; we will be part of the starting lineup. Collective defense is at the heart of NATO's founding. Article 5 of that founding treaty makes clear that an attack against one member nation is an attack against all. Suffice it to say, I hope and pray we will never reach the point where the collective defense clause is invoked.

The most effective way to keep American troops out of the line of fire is to help the Ukrainians stop Putin now before his conquest moves even further west.

As though the stakes weren't high enough already, we know it is not just the scope of Putin's power that is at stake here. The rest of the world is watching as well to see how the United States and our NATO allies respond to this power-hungry dictator. If we fail to support the Ukrainians in this pivotal moment, other authoritarian governments will take note. Today, the problem is Russia. Tomorrow, the problem could be the People's Republic of China.

President Xi Jinping has made no secret of his desire to capture Taiwan. He has called it "unification," and he has even offered details about what sort of timeline we might expect. Of course, we found, as with Mr. Putin, when one person is making that decision, that person can make a decision to go at any time. But President Xi says he wants to be ready to unify the People's Republic of China with Taiwan by 2027, just 4 years from now.

There is no question that President Xi is paying close attention to the world's response to Russian aggression. If the United States and its allies respond with passivity, the Chinese Communist Party will expect to be met with the same level of weakness. As a matter of fact, I believe that President Putin was shocked to see the Ukrainians demonstrate their will to resist Russian aggression and that the other democracies in the world have come to its aid, particularly after the embarrassing precipitous withdrawal from

Afghanistan by the Biden administration without even notifying our NATO allies. Of course, we know what happened—the leadership of the Afghan Government was spirited off in an airplane to another country, and the Taliban walked in without a shot being fired. I think after Mr. Putin saw that in Afghanistan, he thought: Well, maybe I could do the same thing in Ukraine.

Well, a passive response to this sort of aggression would risk further instability and hurt the cause of peace, to say the least. And it would inevitably diminish America's leadership position in the global order. That is why the tyrants and the madmen of the world must see the United States and our allies respond with strength. That is the only way to ensure long-term security and stability.

Last spring, like many of our colleagues, I had the opportunity to travel to Ukraine. This time, last May, was with Senator MCCONNELL, the Republican leader; Senator COLLINS; and Senator BARRASSO. We had the pleasure of meeting with President Zelenskyy and affirming America's commitment to a Ukrainian victory.

One year into this war, my resolve has not softened. Our resolve cannot soften either. The United States and our allies must remain steadfast in our support of the Ukrainian people, not just for their sake but for our sake as well.

Through strategic investments, with ample oversight and accountability—those were important—we will continue to shape the outcome of this war by giving the Ukrainian people everything they need in order to prevail. In doing so, we will send a clear message to Russia and China and any other authoritarian dictator that aggression against the sovereign nation will not be ignored.

Again, it is our own national interest that is at stake here. This war cannot end with a Russian victory.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Illinois.

Mr. DURBIN. Madam President, let me first thank my colleague from Texas. We disagree from time to time, but when we agree, I feel good about it. And today, we do agree, certainly, on the Ukrainian war and the role and responsibility of the United States.

MUNICH SECURITY CONFERENCE

Madam President, the Senator from Texas was in Munich at the security conference. It was such an inspiring get-together. Leaders from all over Europe and from many parts of the world all came together and were virtually unanimous in their opinion that this aggression by Vladimir Putin needed to be stopped and we needed to do everything in our power, either through NATO or other alliances and friendships, to show our solidarity.

I thank the Senator from Texas for his statements.

What a sharp contrast in leadership last week. First, Presidents Biden and

Zelenskyy, together in Kyiv, standing resolutely in the face of Russian aggression.

President Biden went to neighboring Poland, where he told an enthusiastic crowd of thousands:

One year ago, the world was bracing for the fall of Kyiv. . . . I can report: Kyiv stands strong. Kyiv stands proud. It stands tall, and most important, it stands free.

That was a statement by President Biden visiting Poland. He vowed the United States and its allies will never waiver in their support of Ukraine and that NATO will not be divided, and we will not tire. I couldn't agree more with President Biden.

The same sentiments were on display at this Munich security summit that I referenced. Nearly 30 of my Senate colleagues joined us in this international conference. It was a bipartisan show of unity and resolve, with both Senator SCHUMER—the Democrat leader of the Senate—and Senator MCCONNELL—the Republican leader of the Senate—urging sustained determined support for Ukraine against Russian tyranny.

Compare these messages of transatlantic and bipartisan unity to the rambling set of manufactured grievances delivered at nearly the same time by the Russian war criminal, Vladimir Putin. The contrast could not have been starker.

Many Russian officials in attendance at Putin's speech sat stone-faced. Some even dozed off. They may have wondered what kind of nightmare had befallen the Russian people in the pursuit of one man's murderous folly.

Following the Munich Security Conference, Senator JEANNE SHAHEEN, of New Hampshire, and I had the opportunity to visit the former Soviet-dominated countries of Georgia and Romania. Both nations remember Russian tyranny all too well and have spent their decades of independence working to be part of the transatlantic community of democracies.

Georgia suffered most recently at the hands of Russian imperialism when Putin militarily seized 20 percent of the land mass of Georgia, territory still occupied illegally by the Russians today.

Georgia has so much talent and so much potential. The overwhelming majority of the people in that country see their future in Europe and the West. The Georgia military has worked closely with the United States, and we have strong cooperative relations on a wide range of issues.

It is my hope that Georgia will continue its path toward the European Union and eventual NATO membership. That is for the Georgians to decide, but I believe they would be valuable allies of the NATO alliance.

It has some serious issues to resolve, incidentally. Georgia is still facing some political questions, which the world is watching closely, and a few potentially self-inflicted setbacks to avoid, such as the proposed law on disclosure by nongovernmental organiza-

tions—a step, I am afraid, that is backward for a nation aspiring to freedom. But with the right political will and vision, these issues can be overcome in a way that ensures a better and more secure future for the Georgian people.

In the same Black Sea region, Senator SHAHEEN and I visited Romania—my first time—the Eastern European nation already firmly in the EU and NATO. What a NATO ally it is. We stopped at MK Air Base in eastern Romania, where thousands of U.S. soldiers from the legendary 101st Airborne are stationed. They are the U.S. military forces closest to the fight in Ukraine.

Nearby, we could see rows of grain ships departing Ukraine and occupied Crimea only a short distance away. That vital commerce in such a strategic area is a reminder of the importance of advancing Senators SHAHEEN and ROMNEY's bipartisan legislation to establish a U.S.-Black Sea regional strategy, legislation which I have co-sponsored.

Senator SHAHEEN and I had a chance to speak to the brave Americans serving in Romania in defense of NATO. I am proud to say—and I hope my colleague hears this too, and I am sure she will—from the home State of Illinois, we had soldiers from Danville, Forest Park, Chicago Ridge, and even Red Bud, IL—downstate—and many more. But we got to meet and have lunch with those soldiers.

We also had the chance to speak with Romanian Prime Minister Ciuca, who was clear-eyed both on the threat of Russian aggression and Romania's proud role in the larger battle. He also understood the threat Russia poses to the neighboring democracy of Moldova, where Russia already occupies some of their territory. Because of this, President Biden also met with Moldovan President Sandu while in Poland and reaffirmed strong U.S. support for her country's sovereignty and territorial integrity, which I also want to reiterate here on the Senate floor.

Many of my colleagues here today know that my colleague left as a little girl from Russian-occupied Lithuania many years ago. She barely would recognize today's vibrant and free member of the EU and NATO from the country she left behind. Later this year, Lithuania will host a historic NATO summit, by which time I hope we have added Finland and Sweden to the alliance.

That thriving, peaceful, democratic future is what the Ukrainian people are still fighting for and what we must continue to support to make sure that Ukraine is secure in the future.

#### MOBILITY LEGISLATION

Madam President, I would like to start today by sharing a story about the value of U.S. foreign assistance.

As my colleagues in the Senate know, U.S. foreign assistance makes up less than 1 percent of the Federal budget. And yet, it can yield millions in returns—both financially and in lives

saved—by making our world safer, healthier, and more stable. It also reflects our values as Americans. Just look at the immediate offer of assistance to Turkey following its recent catastrophic earthquake. That was the right thing to do.

Sometimes, even the simplest of tools can make all the difference: mosquito nets, paste made from peanuts, and even bicycles. One NGO based in Chicago, IL, World Bicycle Relief, has distributed more than 600,000 bicycles around the world as of last year. These bicycles have helped girls in Malawi get to and from school safely, aid workers in Colombia distribute food and clean water during the COVID-19 pandemic, and farmers in Zambia make milk deliveries.

Stories like these are common around the world, showing the value of a simple, relatively inexpensive, "green," and easy-to-repair means of mobility that helps meet important development objectives. I have seen myself how a bicycle ambulance in rural Tanzania can change lives, and not long ago my staff saw World Bicycle Relief's efforts in Kenya, where nearly 50,000 sustainable rugged bicycles have been provided. These bikes are uniquely designed for their local environments. Community members are trained to maintain them with minimal and locally sourced parts, keeping them sustainable and creating jobs.

Since 2019, I have worked through the Appropriations Committee to push USAID to invest in bicycles and study how to make the programs locally sustainable. USAID has used these lessons and opportunities with increasing success, thanks to the work of so many dedicated groups around the world, including World Bicycle Relief.

This month, I introduced legislation with Representative BLUMENAUER in the House that will codify these important efforts and formalize the creation of a mobility program within USAID's Office of Gender Equality and Women's Empowerment. I look forward to seeing this bill enacted one day, to help lock in the incredible progress that can be made with even small investments and the simplest of tools, such as a bicycle.

I yield the floor.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Illinois.

#### REMEMBERING JOSEPH LEMENS II

Ms. DUCKWORTH. Madam President, I come to the floor today to honor my friend CWO5 Joseph Lemens II, who we lost suddenly in November.

Joe worked as hard as he laughed. He was full of energy and empty of ego. In many ways, he was the epitome of what a "Soldier," with a capital "S," should be.

He was dedicated to service—service to his most beloved and to those with whom he was barely acquainted, service to his dearest neighbors in Illinois and to total strangers throughout his four deployments to the Middle East.

Joe first enlisted in the U.S. Army Reserves when he was just 17 years old

and then served continually for the next 42 years until his retirement last March. His work ethic was tireless, and sacrifices he made for his Nation were immeasurable. He was selfless and giving. He would be the first one to offer to lend a hand, and then would refuse to accept payment for his good deed.

He seemed quiet until you got to know him. Then his laugh made you laugh so hard that, eventually, you forgot why you were both laughing at all.

As a fellow pilot, I especially appreciated the way he gravitated toward machines, the way he loved having the power of an engine, whether it be a snowmobile or a Black Hawk helicopter, at his fingertips. As his commanding officer for my years as a Mad Dog, I couldn't have asked for a better maintenance test pilot, although I always questioned the sanity of anyone who would fly broken helicopters on purpose.

I considered myself lucky that Joe was a member of our battalion when we were in Iraq. Maintenance officers, you see, and especially those like Joe, are a rare commodity, and Joe was one of the best.

When we got back to U.S. soil, after I was wounded and could no longer get from point A to point B like I used to, I was even luckier to have Joe show up at my house one day with his toolbox in tow, ready to remodel my home to make it completely wheelchair accessible.

He combined the grit of a midwesterner with the grace of faith. He combined the resilience of a soldier with the brilliance of an engineer. I know he will be dearly missed. He already is. My thoughts are with his wife Kathryn and his children and his newborn grandson Joe Lemens IV, whom he was able to see. I thank them for sharing Joe with us for all those years and for their own service to our great Nation.

We will all miss Joe, but we will forever catch an echo of his larger-than-life laugh whenever we hear his favorite sound: the smooth rumble of a well-cared-for engine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

NATIONAL CHILDREN'S ADVOCACY CENTER

Mr. TUBERVILLE. Madam President, last week, like many of us in here—many of my colleagues—I spent time meeting with a lot of great folks back in my home State of Alabama. It was great to be home. It was great to be able to share the progress my office has made in the first 2 years, as well as my vision and priorities for the 118th Congress.

I visited Huntsville, AL, and had the opportunity to meet with some of the leaders in defense, education, and business. This included stops at NASA's Marshall Space Flight Center; Alabama A&M University, one of the top HBCUs in the country; and other important sites, including businesses in Madison County, AL.

But I would like to take some time today to speak specifically about one stop on my trip that opened my eyes to a subject we should talk about more often in this Chamber. The National Children's Advocacy Center in Huntsville is a global leader in services, investigations, and counseling for children who suffer physical and sexual abuse. The center's work is important, and I am proud to share that work today.

I think we can all agree that we want our kids to have access to all the opportunities that this great country provides. Unfortunately, many children in Alabama and across the country are robbed of the opportunity to thrive and pursue their dreams because of abuse and neglect.

During my visit, the center's executive director, Chris Newlin, shared that 1 in 10 American children today will be victims of abuse before the age of 18. This is horrific, it is unacceptable, and it is embarrassing to our country. These kids don't know what it is like to have a carefree childhood or loving families who support their goals. They aren't able to devote energy to school, join in team sports, or have fun because their only goal in life is just to survive. Not only are they robbed of their childhood, but many times they are robbed of their adulthood as well.

Studies show that there are several long-term effects of child abuse. These include delayed brain development, lower educational success, and limited career opportunities. Victims are also more likely to suffer from future abuse, drug usage, and medical complications. Additionally, they are less likely to own cars, buy homes, or engage in business, making them less likely to be able to support a family in the future.

Nearly 600,000 kids in the United States were abused in 2021. To repeat that, 600,000 kids in the greatest country on the face of the Earth were abused in 2021, with the most common form of abuse being neglect.

Child abuse cases in Alabama have increased throughout the years, with more than 12,000 victims reported in 2018, costing the State of Alabama \$3.7 billion. Now, that is up \$1.5 billion from just 3 years earlier. The cost is outrageous. And while we are still collecting data from the past few years of COVID—and we know how bad that was—we all know that those numbers are going to be outrageous.

We cannot allow this to continue in the United States of America. Fortunately, we have people in our State of Alabama who have made it their mission to help victims of child abuse.

Founded in 1985, the National Children's Advocacy Center, also called the NCAC, is stepping up to save lives and offer hope to thousands and thousands of young people. The NCAC in Huntsville has established more than 1,000 children's advocacy centers in the United States and in 41 countries around the world.

Their work serves thousands and thousands of kids every year, like 7-year-old Benji, who was found unconscious by his grandmother and rushed to the hospital. There, it was discovered he had broken fingers, a broken rib, countless bruises, and old bones that had been broken but never fixed. Doctors determined Benji was also sexually abused.

That night, Benji left the hospital with Julie, who would eventually become his new foster mom, and arrived at the NCAC the very next morning for evaluation. Thanks to the work of the dedicated and selfless professionals in Huntsville, Benji now has a safe and loving home. He has made tremendous strides in playing with other children and bonding with family members and their new family kitten, and trusting his adoptive mother was a huge benefit.

Benji's therapists say he continues to show more confidence and will likely graduate from therapy in just a few months. There is no telling how many Benjis there are out there in our world today.

The center's reach does not end in Alabama. It has expanded around the country and across the world. In 2021, over 30,000 child abuse professionals from 50 States and 17 countries received NCAC training, and more than 400,000 children were served. That is just in 2021. Alabama's network of children's advocacy centers now includes 47 different locations that have conducted tens of thousands of counseling sessions each year. And, thanks to their work, more abusers have been brought to justice. Communities with children's advocacy centers have seen a 196-percent increase in felony prosecutions of child sexual abuse.

I am confident their work will continue to make tremendous impacts in our local communities in Alabama and around the world.

So we all have a duty to stand up for our kids. That is our responsibility. Children are our No. 1 commodity in this country. They will become the next generation of educators, nurses, doctors, lawyers, engineers—even Senators, and maybe even President.

And if we are going to have a strong future, we must make sure we protect and empower this next generation. I commend the team of the National Children's Advocacy Center for their commitment to giving kids a fighting chance—a fighting chance—to overcome unthinkable hardships that most of us never had to realize.

By stepping up to help those who have been left behind, the Center gives kids the opportunity to dream and pursue better lives. I hope we all join this group in doing our part to rescue child abuse victims. I will continue to fight for kids in Alabama and all across our great country, because they deserve it.

And I want to thank the National Children's Advocacy Center for reminding me that we all have a part to play in protecting and serving those who need it most.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### NOMINATION OF JAMAR K. WALKER

Mr. WARNER. Madam President, I rise today in support of Mr. Jamar Walker, whom President Biden has nominated to serve as a U.S. District Court judge for the Eastern District of Virginia.

Jamar is a fellow Virginian and outstanding public servant. For the last decade, he has been an invaluable asset to Virginia's legal community, bringing both his zeal for public service and his personal life story.

Jamar is a Virginia native, originally from our Eastern Shore. If you ever look at a map of Virginia, you see this strip that may not be completely connected. It literally goes from Virginia to Maryland and Delaware. It is a strip of land that is very rural. Jamar is from that part of our Commonwealth.

He is a two-time graduate of the University of Virginia. Following his time at both UVA as an undergrad and UVA Law, Jamar began his career in public service clerking for the Honorable Raymond Jackson in the U.S. District Court for the Eastern District of Virginia, whose same seat he has actually—if we approve him tonight—been nominated to fill.

And for the past 7 years, Jamar has dedicated his professional career in the U.S. attorney's office for the Eastern District of Virginia, where he currently serves as the Acting Chief of the Financial Crime and Public Corruption Unit.

A testament to his ability to try complex cases, Jamar has received five service awards from the FBI for his excellent work in public correction, wire fraud, and bank fraud cases. His commitment to the Commonwealth spans far beyond his day job. Jamar has volunteered for countless collegiate mock trial tournaments and returned to his alma mater time and again to speak out on guest panels.

Once sworn in, Jamar will also be the first openly gay Federal district judge in Virginia. Jamar's community-oriented mindset, career qualifications, and numerous accolades make him an exceptional nominee for the Eastern District of Virginia, a district that is known as the "rocket docket" in terms of moving cases quickly through. His experience, particularly in the U.S. Attorney's office, is well-suited to deal with the "rocket docket."

I know he will serve with distinction and make both our country and our Commonwealth proud. I urge my colleagues, when this vote starts in about 10 minutes, to support his nomination. He came out in a bipartisan vote from the Judiciary Committee. He is an exceptional young man, and I know will do a great job.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 24.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The legislative clerk read the nomination of Colleen R. Lawless, of Illinois, to be United States District Judge for the Central District of Illinois.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 24, Colleen R. Lawless, of Illinois, to be United States District Judge for the Central District of Illinois.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 35.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 35, Jonathan James Canada Grey, of Michigan, to be United States District Judge for the Eastern District of Michigan.

Charles E. Schumer, Richard J. Durbin, Richard Blumenthal, Christopher A. Coons, Benjamin L. Cardin, Tina Smith, Christopher Murphy, Mazie K. Hirono, Tammy Baldwin, Margaret Wood Hassan, John W. Hickenlooper, Sheldon Whitehouse, Catherine Cortez Masto, Brian Schatz, Gary C. Peters, Alex Padilla, Michael F. Bennet.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 39.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination. The legislative clerk read the nomination of James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 39, James Edward Simmons, Jr., of California, to be United States District Judge for the Southern District of California.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Alex Padilla, Gary C. Peters, Angus S. King, Jr., Mazie K.

Hirono, Tim Kaine, Brian Schatz, Cory A. Booker.

### LEGISLATIVE SESSION

Mr. SCHUMER. Finally, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 40.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The clerk will report the nomination.

The legislative clerk read the nomination of Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 40, Gordon P. Gallagher, of Colorado, to be United States District Judge for the District of Colorado.

Charles E. Schumer, Richard J. Durbin, Jeff Merkley, Jeanne Shaheen, Elizabeth Warren, Mazie Hirono, Sheldon Whitehouse, Richard Blumenthal, Christopher A. Coons, Jack Reed, Gary C. Peters, Angus S. King, Jr., Alex Padilla, Tim Kaine, Brian Schatz, Cory A. Booker.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 27, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

#### NOMINATION OF JAMAR K. WALKER

Mr. KAINE. Madam President, I rise in support of Jamar Walker, who has been nominated as U.S. district court judge for the Eastern District of Virginia, Norfolk Division. We will be voting in a few minutes on Mr. Walker's nomination. He is an assistant U.S. attorney for the EDVA, where he currently serves as the Acting Chief for the Financial Crimes and Public Corruption Unit.

Mr. Walker was raised by a single mother on the Eastern Shore of Virginia, where he attended public schools, graduating from Nandua High School in Accomack County, VA. He is a double graduate of the University of

Virginia and clerked for Judge Raymond Jackson, whose seat he has been nominated to fill in a particularly nice turn of events. Mr. Walker counts Judge Jackson as among his mentors who inspired in him not just a life of service but also a deep commitment to the Commonwealth of Virginia and the Eastern Shore.

Following his clerkship, Mr. Walker worked first as an associate at Covington & Burling, where he actually was an associate for one of my best friends, the head of the litigation section there, John Hall, who speaks very highly of Jamar Walker. Then he joined the U.S. Attorney's Office in the Eastern District of Virginia.

Given his deep history with the EDVA, it will come as no surprise that Mr. Walker has broad support in this very important court, starting with Judge Jackson. In his letter of support, Judge Jackson observes that Mr. Walker "has the intellectual prowess, integrity, and temperament that is fundamental in the position of a Federal judge." Former U.S. attorneys in the Eastern District Dana Boente and Zach Terwilliger note that Mr. Walker "is a person of unimpeachable character who is known by the bench and bar for his keen intellect, decency, sober judgment, and humility."

As you can see, Mr. Walker would be serving the same community that raised him, where he has deep ties and is widely respected. For these reasons, Jamar Walker received a "well qualified" rating from the American Bar Association.

His nomination is also historic in that, once confirmed and sworn in, Mr. Walker will be the first openly LGBTQ Federal district judge in Virginia.

I practiced in this court for 17 years. It is justifiably called the rocket docket because it has one of the fastest times from filing a case to trial of any district in the United States—6 months from filing a case to trial. Such speed is tough on the judges, and it is tough on the lawyers, but the EDVA does it because, for the litigants, the ability to know that they will have their claim heard within 6 months is a wonderful, wonderful thing.

The EDVA is also a little bit unique because its proximity to the Pentagon and the CIA and Federal Government Agencies gives it a docket that has a high percentage of national security cases. Mr. Walker's experience in and knowledge of the EDVA and his work on cases of that kind will be very critical to his success once he is confirmed.

In short, this is an exceptional nominee and historymaker who is well qualified to serve on a most unique court. He received a strongly bipartisan vote in the Judiciary Committee. I urge my colleagues to vote in support of his nomination.

I yield the floor.

### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 16, Jamar K. Walker, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Charles E. Schumer, Richard J. Durbin, Sheldon Whitehouse, Martin Heinrich, Tim Kaine, Tammy Baldwin, Ben Ray Lujan, Tammy Duckworth, John W. Hickenlooper, Amy Klobuchar, Jack Reed, Jeanne Shaheen, Benjamin L. Cardin, Edward J. Markey, Alex Padilla, Margaret Wood Hassan, Catherine Cortez Masto.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Jamar K. Walker, of Virginia, to be United States District Judge for the Eastern District of Virginia, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Pennsylvania (Mr. FETTERMAN), the Senator from Oregon (Mr. MERKLEY), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from North Carolina (Mr. BUDD), the Senator from Idaho (Mr. CRAPO), the Senator from Idaho (Mr. RISCH), and the Senator from North Carolina (Mr. TILLIS).

Further, if present and voting the Senator from North Carolina (Mr. BUDD) would have voted "nay" and the Senator from Idaho (Mr. RISCH) would have voted "nay."

The yeas and nays resulted—yeas 52, nays 39, as follows:

[Rollcall Vote No. 25 Ex.]

#### YEAS—52

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Schatz
Booker	Kaine	Schumer
Brown	Kelly	Shaheen
Cantwell	Kennedy	Sinema
Cardin	King	Smith
Carper	Klobuchar	Stabenow
Casey	Lujan	Tester
Collins	Manchin	Van Hollen
Coons	Markey	Warner
Cortez Masto	Menendez	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Welch
Gillibrand	Murray	Whitehouse
Graham	Ossoff	
Grassley	Padilla	Wyden
Hassan	Peters	

## NAYS—39

Blackburn	Hagerty	Ricketts
Boozman	Hawley	Romney
Braun	Hoeven	Rounds
Britt	Hyde-Smith	Rubio
Capito	Johnson	Schmitt
Cassidy	Lankford	Scott (FL)
Cornyn	Lee	Scott (SC)
Cotton	Lummis	Sullivan
Cramer	Marshall	Thune
Cruz	McConnell	Tuberville
Daines	Moran	Vance
Ernst	Mullin	Wicker
Fischer	Paul	Young

## NOT VOTING—9

Barrasso	Feinstein	Risch
Budd	Fetterman	Sanders
Crapo	Merkley	Tillis

The PRESIDING OFFICER (Mr. KING). On this vote, the yeas are 52, the nays are 39, and the motion is agreed to.

The motion was agreed to.  
The Senator from Minnesota.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 23-18, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost \$506 million. We will issue a news release to notify the public

of this proposed sale upon delivery of this letter to your office.

Sincerely,

MIKE MILLER

(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 23-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment \* \$302 million.

Other \$204 million.

Total \$506 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): Up to sixty-three (63) Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ERs).

Up to twenty (20) AARGM-ER Captive Air Training Missiles (CATMs).

Non-MDE: Also included are AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range Dummy Air Training Missiles (AARGM-ER DATMs), containers, component parts and support equipment; Repair of Repairables; software (Classified and Unclassified); publications (Classified and Unclassified); training (Classified and Unclassified); transportation; U.S. Government and contractor engineering support; and other related elements of logistical and program support.

(iv) Military Department: Navy (AT-P-ASA).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 27, 2023.

\*As defined in Section 47(6) of the Arms Export Control Act.

## POLICY JUSTIFICATION

Australia—Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ER)

The Government of Australia has requested to buy up to sixty-three (63) Advanced Anti-Radiation Guided Missiles-Extended Range (AARGM-ERs); and up to twenty (20) AARGM-ER Captive Air Training Missiles (CATMs). Also included are AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range Dummy Air Training Missiles (AARGM-ER DATMs), containers, component parts and support equipment; Repair of Repairables; software (Classified and Unclassified); publications (Classified and Unclassified); training (Classified and Unclassified); transportation; U.S. Government and Contractor engineering support; and other related elements of logistical and program support. The estimated total cost is \$506 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist our ally in developing and maintaining a strong and ready self-defense capability.

The proposed sale will improve Australia's capability to meet current and future threats by suppressing and destroying land or sea-based radar emitters associated with enemy air defenses. This capability denies

the adversary the use of its air defense systems, thereby improving the survivability of Australia's tactical aircraft. Australia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime U.S. contractor will be the Javelin Joint Venture between Lockheed Martin in Orlando, FL and Raytheon Missiles and Defense in Tucson, AZ. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require U.S. Government personnel and U.S. Contractor representatives to visit Australia on a temporary basis in conjunction with program technical oversight and support requirements, including program and technical reviews.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 23-18

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AGM-88G Advanced Anti-Radiation Guided Missile-Extended Range (AARGM-ER) weapon system is an air-to-ground missile intended for Suppression of Enemy Air Defenses (SEAD) and Destruction of Enemy Air Defenses (DEAD) missions. The AARGM-ER provides suppression or destruction of enemy RADAR and denies the enemy the use of air defense systems, thereby improving the survivability of our tactical aircraft. The AGM-88G AARGM-ER Captive Air Training Missiles (CATM) is used by pilots when training for SEAD/DEAD missions.

2. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Australia.

## ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed



in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 23-0E. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 17-77 of February 5, 2018.

Sincerely,

MIKE MILLER  
(For James A. Hursch, Director).

Enclosure.

TRANSMITTAL NO. 23-0E

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of Finland.  
(ii) Sec. 36(b)(1), AECA Transmittal No.: 17-77; Date: February 5, 2018; Military Department: Navy.

(iii) Description: On February 5, 2018, Congress was notified by Congressional certification transmittal number 17-77 of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of sixty-eight (68) Evolved SEASPARROW Missiles (ESSM) and one (1) ESSM inert operational missile. Also included were seventeen (17) MK25 quad pack canisters, eight (8) MK783 shipping containers, spare and repair parts, support and test equipment, publications and technical documentation, training, U.S. Government/Contractor engineering, technical and logistics support services and technical assistance, and other related elements of logistical support. The estimated total cost was \$112.7 million. Major Defense Equipment (MDE) constituted \$92.6 million of this total.

This transmittal notifies the inclusion of the following MDE items: eighty-four (84) RIM-162J Evolved SEASPARROW Missiles (ESSM), Block 2; to replace the previously notified sixty-eight (68) ESSMs. Also included are MK25 quad pack canisters and MK852 shipping containers. The addition of these items will result in a net increase in MDE value of \$81.4 million, resulting in a revised MDE value of \$174 million. The non-MDE estimated value will increase from \$20.1 million to \$28.9 million. The total estimated case value will increase by \$90.2 million to \$202.9 million.

(iv) Significance: The inclusion of this MDE represents an increase in capability over the Block 1 ESSMs previously notified. Finland intends to use the missiles on its new Squadron 2020 class Corvette ships. The missiles will provide enhanced capabilities in effective defense of critical sea lanes and improve Finland's capability to meet current and future enemy anti-ship weapon threats. Finland previously requested ESSM Block 1s, but cancelled the procurement to await the Block 2s.

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by improving the security of a trusted partner which is an important force for political stability and economic progress in Europe. It is vital to the

U.S. national interest to assist Finland in developing and maintaining a strong and ready self-defense capability.

(vi) Sensitivity of Technology: The RIM-162J ESSM Block 2 is an upgrade to the Block 1, which is a kinematic upgrade to the RIM-7P SEASPARROW Missile that leverages U.S. guidance technology. ESSM Block 1 is a medium-range, semi-active homing missile that makes flight corrections via radar and midcourse data uplinks. The guidance system is semi-active on continuous wave or interrupted continuous wave illumination. The missile provides reliable ship self-defense capability against agile, high-speed, low-altitude anti-ship cruise missiles (ASCMs) and low velocity air threats (LVATs) such as helicopters and high-speed, maneuverable surface threats. The ESSM Block 2 utilizes the same propulsion section and increases the diameter of the guidance section to 10-inches. The new guidance section utilizes a dual seeker head that employs semi-active and active guidance.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: February 27, 2023.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(A) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 0A-23. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in Section 36(b)(1) AECA certification 21-30 of March 16, 2021.

Sincerely,

MIKE MILLER  
(For James A. Hursch, Director).

Enclosures.

TRANSMITTAL NO. 0A-23

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(A), AECA)

(i) Purchaser: Government of Norway.  
(ii) Sec. 36(b)(1), AECA Transmittal No.: 21-30; Date: March 16, 2021; Military Department: Army.

(iii) Description: On March 16, 2021, Congress was notified by Congressional certification transmittal number 21-30, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of one hundred twenty (120) Javelin FGM-148 Missiles; and two (2) Javelin FGM-148 Missiles Fly-to-Buy. Also included were twenty-four (24) Javelin Block 1 Command Launch Units (CLUs) retrofit kits; spare parts; publications and technical documentation; personnel training; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost was \$36 million. Major Defense Equipment (MDE) constituted \$30 million of this total.

This transmittal reports the inclusion of the following additional MDE items: forty (40) Javelin FGM-148 missiles; and two (2) Javelin FGM-148 Fly-to-Buy missiles. The estimated total value of the added items is \$8 million. The total estimated MDE value will increase by \$8 million to \$38 million, resulting in an estimated total case value of \$44 million.

(iv) Significance: This proposed sale will support both Norway's defensive operations as well as NATO-led operations. The anti-tank defense capability is critical for Norway's national security and for its role in securing NATO's northern flank. The Norwegian Armed Forces intends to use the requested armaments to upgrade and increase its current inventory of anti-tank missiles.

(v) Justification: This proposed sale will support the foreign policy goals and national security objectives of the United States by improving the security of a NATO ally that is an important force for political stability and economic progress in Europe.

(vi) Sensitivity of Technology: The Sensitivity of Technology statement contained in the original notification applies to items reported here.

(vii) Date Report Delivered to Congress: February 27, 2023.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Washington, DC.

Hon. ROBERT MENENDEZ,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as



amended, we are forwarding Transmittal No. 22-0W. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1). AECA certification 18-19 of June 26, 2018.

Sincerely,

MIKE MILLER

(For James A. Hursch, Director).

Enclosure.

TRANSMITTAL NO. 22-0W

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(b)(5)(C), AECA)

(i) Purchaser: Government of Spain.

(ii) Sec. 36(b)(1), AECA Transmittal No.: 18-19; Date: June 26, 2018; Implementing Agency: Navy.

(iii) Description: On June 26, 2018, Congress was notified by Congressional certification transmittal number 18-19, of the possible sale, under Section 36(b)(1) of the Arms Export Control Act, of five (5) AEGIS Weapons Systems (AWS) MK7, six (6) shipsets Digital Signal Processing, five (5) shipsets AWS Computing Infrastructure MARK 1 MOD 0, five (5) shipsets Operational Readiness Test Systems (ORTS), five (5) shipsets MK 99 MOD 14 Fire Control System, five (5) shipsets MK 41 Baseline VII Vertical Launching Systems (VLS), two (2) All-Up-Round MK 54 Mod 0 lightweight torpedoes, twenty (20) Standard Missile 2 (SM-2) Block IIIB missiles and MK 13 canisters with AN/DKT-71 warhead compatible telemeter. Also included was one (1) S4 AWS computer program, five (5) shipsets Ultra High Frequency (UHF) Satellite Communications (SATCOM), five (5) shipsets AN/SRQ-4 radio terminal sets, five (5) shipsets ordnance handling equipment, five (5) shipsets Selective Availability Anti-Spoofing Modules (SAASM), five (5) shipsets aviation handling and support equipment, five (5) shipsets AN/SLQ-24E Torpedo countermeasures systems, five (5) shipsets LM04 Thru-Hull XBT Launcher and test canisters, one (1) shipset MK 36 MOD 6 Decoy Launching System, five (5) shipsets Link Level COMSEC (LLC) 7M for LINK 22, five (5) shipsets Maintenance Assist Module (MAM) cabinets, five (5) shipsets technical documentation, five (5) shipsets installation support material, special purpose test equipment, system engineering, technical services, on-site vendor assistance, spare parts, systems training, foreign liaison office and staging services necessary to support ship construction and delivery, spare and repair parts, tools and test equipment, support equipment, repair and return support, personnel training and training equipment, publications and technical documentation, U.S. Government and contractor engineering and logistics support services, and other related elements of logistic and program support. The estimated total cost was \$860.4 million. Major Defense Equipment (MDE) constituted \$324.4 million of this total.

On June 15, 2020, Congress was notified by Congressional certification transmittal number 20-0G of an additional MDE sale of thirty (30) All-Up-Round MK 54 Lightweight Torpedoes (LWT). The following non-MDE items were also included: MK 54 LWT expendables; MK 54 turnaround kits; MK 54 containers; one (1) MK-695 Torpedo Systems Test Set (TSTS); support equipment including fire control modification platforms and spare parts; torpedo spare parts; training; publications; software; U.S. Government and contractor engineering, technical, and logistics support services and other related elements of logistics and program support. The addition of these items resulted in a net increase in MDE cost of \$45 million, resulting in a revised MDE cost of \$369.4 million. The total estimated case value increased to \$940.4 million.

On June 8, 2022, Congress was notified by Congressional certification transmittal number 22-0G of the MDE replacement of the previously-notified two (2) All Up Round MK 54 Mod 0 LWTs with two (2) Exercise MK 54 Mod 0 LWTs. Also included was additional Engineering Technical Assistance for redesign of Radar Signal Processing Group configuration and updates to International Aegis Fire Control Loop design; shipsets of SAASM units and associated spares; COMSEC equipment for use between test sites; and removal of one (1) shipset MK 36 Mod 6 Decoy Launching System. The MDE total value remained \$369.4 million; however, the non-MDE estimated value increased from \$571 million to \$810.6 million. The total estimated case value increased to \$1.18 billion.

This transmittal notifies the MDE inclusion of up to an additional sixty-two (62) SM-2 Block IIIB missiles in tactical and telemetered configurations. Also included are MK 13 canisters; spare parts and associated containers; personal training and training equipment; publications and technical data; U.S. Government and contractor technical assistance; and other related elements of logistics and program support. The addition of these items will result in a net increase in MDE value of \$260 million, resulting in a revised MDE value of \$629.4 million. The non-MDE estimated value will increase from \$810.6 million to \$850.6 million. The total estimated case value will increase by \$300 million to \$1.48 billion.

(iv) Significance: The proposed articles and services will support Spain's capability to commission its new F-110 frigates with the AEGIS Weapon System (AWS).

(v) Justification: This proposed sale will support the foreign policy and national security of the United States by improving the security of a NATO ally which is an important force for political stability and economic progress in Europe. It is vital to the U.S. national interest to assist Spain in developing and maintaining a strong and ready self-defense capability.

(vi) Sensitivity of Technology: The Sensitivity of Technology Statement contained in the original notification applies to items reported here.

(vii) Date Report Delivered to Congress: February 27, 2023.

#### SENATE SUBCOMMITTEE ON EMERGING THREATS AND SPENDING OVERSIGHT RULES OF PROCEDURE

Mr. PETERS. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 21, 2023, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Emerging Threats and Spending Oversight adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I am submitting for printing in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Subcommittee on Emerging Threats and Spending Oversight.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

118TH CONGRESS RULES OF PROCEDURE FOR THE SENATE SUBCOMMITTEE ON EMERGING THREATS AND SPENDING OVERSIGHT OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

(February 21, 2023)

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Governmental Affairs any measures, matters, or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chair of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chair may subpoena attendance or production without the approval of the Ranking Minority Member where the Chair or a staff officer designated by the Chair has not received notification from the Ranking Minority Member or a staff officer designated by the Chair of disapproval of the subpoena within 2 calendar days, excluding Saturdays and Sundays and legal holidays in which the Senate is not in session, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chair and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by the Chair and Ranking Minority Member for the full Committee, by the Subcommittee Chair or a staff officer designated by the Chair, and no subpoena shall be issued for at least 2 calendar days, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chair and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the 2-calendar day waiting period or unless the Subcommittee Chair certifies in writing to the Chair and Ranking Minority Member of the full Committee that, in the opinion of the Chair, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chair authorizes subpoenas, subpoenas may be issued upon the signature of the Chair or any other Member of the Subcommittee designated by the Chair.

#### SENATE SUBCOMMITTEE ON GOVERNMENT OPERATIONS AND BORDER MANAGEMENT RULES OF PROCEDURE

Mr. PETERS. Mr. President, Senate Standing Rule XXVI requires each

committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 22, 2023, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Government Operations and Border Management adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I am submitting for printing in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Subcommittee on Government Operations and Border Management.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

118TH CONGRESS RULES OF PROCEDURE FOR THE SENATE SUBCOMMITTEE ON GOVERNMENT OPERATIONS AND BORDER MANAGEMENT OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

(February 22, 2023)

(1) SUBCOMMITTEE RULES. The Subcommittee shall be governed, where applicable, by the rules of the Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

(2) QUORUMS. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of business other than the administering of oaths and the taking of testimony, provided that one Member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) TAKING TESTIMONY. In any hearings conducted by the Subcommittee, the Chair or the Chair's designee may swear in each witness prior to their testimony.

(4) SUBCOMMITTEE SUBPOENAS. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chair, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chair may subpoena attendance or production without the approval of the Ranking Minority Member where the Chair or a staff officer designated by him or her has not received notification from the Ranking Minority Member or a staff officer designated by him or her of disapproval of the subpoena within two calendar days excluding Saturdays and Sundays, of being notified of the subpoena. If the subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by a vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chair and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chair, or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least two calendar days, excluding Saturdays and Sundays, from delivery to appropriate offices, unless the Chair and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the two-calendar day waiting period or unless the Subcommittee Chair certifies in writing to the Chairman and Ranking Minor-

ity Member of the full Committee on Homeland Security and Governmental Affairs that, in his or her opinion, it is necessary to issue the subpoena immediately.

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS RULES OF PROCEDURE

Mr. PETERS. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 23, 2023, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I am submitting for printing in the CONGRESSIONAL RECORD a copy of the rules of procedure of the Permanent Subcommittee on Investigations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

118TH CONGRESS RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

(February 23, 2023)

1. No public hearing connected with an investigation may be held without the approval of either the Chair and the Ranking Minority Member or a Majority of the Members of the Subcommittee. In all cases, notification to all Subcommittee Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chair and notice of such approval to the Ranking Minority Member, Minority Staff Director, or the Minority Chief Counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chair, Staff Director, or Chief Counsel. Investigations may be undertaken upon the approval of the Chair and the Ranking Minority Member with notice of such approval to all Members of the Subcommittee.

No public hearing shall be held if the Minority Members of the Subcommittee unanimously object, unless the Committee on Homeland Security and Governmental Affairs (the "Committee") approves of such public hearing by a majority vote.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chair, or any other Member of the Subcommittee designated by the Chair, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chair and Ranking Minority Member of the Committee, or staff officers designated by them, by the Chair or a staff officer designated by the Chair, immediately upon such authorization, and no subpoena shall be issued for at

least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chair and Ranking Minority Member of the Committee waive the 48 hour waiting period or unless the Chair certifies in writing to the Chair and Ranking Minority Member of the Committee that, in the Chair's opinion, it is necessary to issue a subpoena immediately.

3. The Chair shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chair to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chair to call a special meeting, they may file, in the office of the Subcommittee, a written request therefor, addressed to the Chair. Immediately thereafter, the clerk of the Subcommittee shall notify the Chair of such request. If, within 3 calendar days after the filing of such request, the Chair fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Subcommittee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chair is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that at least one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, witness counsel, or any spectator conducts themselves in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chair or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, a representative of the Sergeant at Arms of the Senate, or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing and to advise such witness while the witness is testifying of the witness's legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chair may rule that representation by counsel from the government, corporation, or association, or by counsel representing another witness, creates a conflict of interest, and that the witness may only be represented during interrogation by Subcommittee staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing another witness. This rule shall not be construed to excuse a witness from testifying in the event witness counsel is ejected for conduct preventing, impeding,

disrupting, obstructing, or interfering with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

#### 9. Depositions.

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chair. The Chair of the Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chair or such Subcommittee Member as designated by the Chair. If the Chair or designated Member overrules the objection, these Members may refer the matter to the Subcommittee or may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after being ordered and directed to answer by the Chair or designated Member.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in the individual's presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from the obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chair, Staff Director, or Chief Counsel 48 hours in advance of the hearings at which the statement is to be presented unless the Chair and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during testimony, television, motion picture, and other cameras and lights, shall not be directed at the

witness. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of a witness's own testimony, whether in public or executive session, shall be made available for inspection by the witness or witness counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at the witness's expense if requested.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Subcommittee Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chair questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Subcommittee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chair, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame the person or otherwise adversely affect the person's reputation, may (a) request to appear personally before the Subcommittee to testify, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chair, Staff Director, or Chief Counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chair and the Ranking Minority Member waive this requirement.

If a person requests to file a sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in the person's sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Members of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members of the Subcommittee.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff and clerical as-

sistants as the Ranking Minority Member deems advisable. The total compensation allocated to such Minority staff shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff shall work under the direction and supervision of the Ranking Minority Member. The Minority Staff Director and the Minority Chief Counsel shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chair and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chair and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

## ADDITIONAL STATEMENTS

### TRIBUTE TO KIM GREENWOOD

• Mrs. BLACKBURN. Mr. President, each spring, women from across the Volunteer State gather to vie for the title of Miss Tennessee USA. Those who shine brightest earn the privilege of competing for Miss USA's coveted crown; but more importantly, they set an example for young women in their own communities.

For 30 years, my friend and fellow Tennessean Kim Greenwood has mentored scores of dreamers seeking their place in this family of civic leaders. As executive director of the Miss Tennessee USA and Miss Tennessee Teen USA State Pageants, Kim has transformed these competitions into opportunities for growth and self-discovery. A former Tennessee Junior Miss and Miss Tennessee USA herself, she knows better than most how to empower ambitious young women to become positive examples of service and success that will transform the lives of little girls back home.

On behalf of all Tennesseans, I want to thank Kim for helping so many young women harness their potential and build for themselves the beautiful and fulfilling lives they have always dreamed of. •

### TRIBUTE TO FREDRICK D. SCHAUFELD

• Mr. HAGERTY. Mr. President, I rise today to congratulate my dear friend, Fredrick D. Schaufeld, for receiving the 2023 Horatio Alger Award. Fred has spent decades giving back to his community by creating job opportunities and a path to prosperity for so many, while at the same time contributing significantly to philanthropic efforts. No one is more deserving of this honor than Fred Schaufeld.

The Horatio Alger Award symbolizes the values of personal initiative and perseverance, leadership, and commitment to excellence, belief in the free-

enterprise system and the importance of higher education, community service, and the vision and determination to achieve a better future. These are the ideals that serve as Fred's North Star.

Throughout his career, Fred has exemplified the best of American exceptionalism. In addition to his time in the private sector, Fred has spent decades giving back to his community, whether through his time as the chairman of the Inova Health System Foundation or through his participation on the board of the Wolf Trap Foundation for the Performing Arts. Additionally, and one of my personal favorites, Fred is a recipient of the Loudoun Laurels award and the Loudoun County Boy Scouts' Good Scout award.

I would also like to congratulate his wife Karen for her contributions to these causes over the decades. I know firsthand how important a supportive partner like Karen can be, and I am so pleased that you both are recognized in such an appropriate manner for your efforts.

Congratulations.●

#### RECOGNIZING SER FAMILIA

● Mr. OSSOFF. Mr. President, I rise today to commend and celebrate Ser Familia, an organization in Atlanta focused on helping Georgia's Latino families gain the tools and resources to solve challenges and flourish in their communities.

Natives of Puerto Rico, Belisa and Miguel Urbina cofounded Ser Familia in 2001. For more than 20 years, Ser Familia's vision to assist Latino families reach their full potential and become contributing members of their communities has changed the lives of hundreds of families across Georgia. From teaching youth character building and leadership skills to offering counseling services on behavioral and mental health, Ser Familia continues to expand its positive impact on the Latino community by developing programs that are tailored to address the greatest needs of youth, couples, parents, and families.

As I have said before, the State of Georgia is home to a vibrant and diverse Latino community, and I am grateful for the extraordinary contributions of people like Belisa and Miguel Urbina who work tirelessly every single day to guarantee that all members of the Latino community have access to opportunities that help them thrive. I have enjoyed working closely with Belisa and Miguel to deliver the resources to help Ser Familia open a family resource center in Clayton County, helping expand their comprehensive services to the community.

I join with our Latino community to commemorate the remarkable work and contributions of Ser Familia to the Atlanta community, the State of Georgia, and the United States. Their leadership is a reminder of the outstanding contributions of Latino Americans who

are committed to moving Georgia and our country forward.

As Georgia's U.S. Senator, it is my honor to recognize and commend Belisa and Miguel Urbina for their service on behalf of Georgia's Latino families and congratulate them on Ser Familia's success.●

#### TRIBUTE TO DR. EVANS P. WHITAKER

● Mr. SCOTT. Mr. President, as the junior Senator from South Carolina, it is my pleasure to honor Dr. Evans P. Whitaker, who has dedicated his life and career to our State and the advancement of Anderson University. In November of 2002, Dr. Whitaker assumed the presidency of Anderson University following nearly two decades in higher education leadership, where he served at Gardner-Webb University, Wingate University, and Belmont University. Today, I ask my colleagues to join me in celebrating 20 years of outstanding service from Dr. Whitaker and Anderson's first lady, Diane Whitaker.

Under his leadership, Anderson University has evolved into the largest private university in the State. Dr. Whitaker also led the efforts to create the South Carolina School of Arts, a premier arts conservatory, to establish the school of nursing and to form the college of engineering. In addition to new degree programs, Anderson has experienced consistent growth in enrollment, freshman retention, and campus acreage. His visionary leadership has allowed innovation to enhance education and the quality of life in our State.

Anderson University's beautiful campus is a resource to the upstate and our State. Home to the Rocky River Conservancy, Anderson promotes conservation, outdoor recreation, and educational opportunities for the community. Clearly bearing the personal touch of Dr. and Mrs. Whitaker are the beautiful buildings, picturesque Alumni Lawn and enhancements across campus that Anderson students and residents alike enjoy.

For 20 years, Dr. and Mrs. Whitaker have helped Anderson University reach new heights of success through increased academic offerings, higher rankings, and solid institutional ratings. Throughout his tenure, Dr. Whitaker has been recognized in Anderson and across South Carolina for his leadership, unwavering service, and vast contributions to our great State. Congratulations to Dr. and Mrs. Whitaker on this distinction and for reaching this significant milestone. Thank you for your excellent stewardship of Anderson University.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Kelly, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 2 U.S.C. 501(b), and the order of the House of January 9, 2023, the Speaker appoints the following Members to the House Communications Standards Commission: Mr. CAREY of Ohio, Mr. LATTA of Ohio, and Mrs. CAMMACK of Florida.

The message also announced that pursuant to 22 U.S.C. 6913, and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Congressional-Executive Commission on the People's Republic of China: Mr. MAST of Florida, Mrs. STEEL of California, Mr. ZINKE of Montana, and Mr. NUNN of Iowa.

The message further announced that pursuant to 22 U.S.C. 3003, and the order of the House of January 9, 2023, the Speaker appoints the following Members on the part of the House of Representatives to the Commission on Security and Cooperation in Europe: Mr. ADERHOLT of Alabama, Mr. HUDSON of North Carolina, Mrs. SPARTZ of Indiana, and Mr. LAWLER of New York.

#### MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 532. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-495. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Rural eConnectivity Program" (RIN0572-AC62) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-496. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Updates to Servicing Requirements for Business & Industry Guaranteed Loans" (RIN0570-AB08) received in the Office of the President of the Senate

on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-497. A communication from the Director of the Regulations Management Division, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Section 306C Water and Waste Disposal (WWD) Loans and Grants" (RIN0572-AC55) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-498. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluopyram; Pesticide Tolerances" (FRL No. 10566-01-OCSP) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-499. A communication from the Associate Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Pork Promotion, Research, and Consumer Information Order—Decrease in Assessment Rate and Importer Assessments" (Docket No. AMS-LP-22-0032) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-500. A communication from the Associate Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Peptide Derived from Harpin Protein; Exemption from the Requirement of a Tolerance" (FRL No. 10572-01-OCSP) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Agriculture, Nutrition, and Forestry.

EC-501. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the widespread humanitarian crisis in Afghanistan and the potential for a deepening economic collapse in Afghanistan that was declared in Executive Order 14064 of February 11, 2022; to the Committee on Banking, Housing, and Urban Affairs.

EC-502. A communication from the President of the United States, transmitting, pursuant to law, a report of the continuation of the national emergency with respect to the situation in and in relation to Burma that was declared in Executive Order 14014 of February 10, 2021; to the Committee on Banking, Housing, and Urban Affairs.

EC-503. A communication from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of Housing and Urban Development, received in the Office of the President of the Senate on February 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-504. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14014 with respect to the situation in and in relation to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC-505. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 14064 with respect to the widespread humanitarian crisis in Afghanistan and the potential for a deepening economic collapse in Afghanistan; to the Committee on Banking, Housing, and Urban Affairs.

EC-506. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC-507. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13660 with respect to Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

EC-508. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13692 with respect to Venezuela; to the Committee on Banking, Housing, and Urban Affairs.

EC-509. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13288 with respect to Zimbabwe; to the Committee on Banking, Housing, and Urban Affairs.

EC-510. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Civil Penalty Inflation Adjustments" (12 CFR Part 1083) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-511. A communication from the Senior Congressional Liaison, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled "Truth in Lending Act (Regulation Z) Adjustment to Asset-Size Exemption Threshold" (12 CFR Part 1026) received in the Office of the President of the Senate on February 7, 2023; to the Committee on Banking, Housing, and Urban Affairs.

EC-512. A communication from the Senior Congressional Liaison, Legislative Affairs, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a report entitled "Annual Performance Plan and Report, and Budget Overview (FY 2023)"; to the Committee on Banking, Housing, and Urban Affairs.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. GILLIBRAND:

S. 527. A bill to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Ms. SMITH, and Ms. ERNST):

S. 528. A bill to require a standard financial aid offer form, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRUZ (for himself, Mr. COTTON, and Mr. BRAUN):

S. 529. A bill to amend title 18, United States Code, to require the impaneling of a new jury if a jury fails to recommend by unanimous vote a sentence for conviction of a crime punishable by death; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Ms. SMITH):

S. 530. A bill to revise counseling requirements for certain borrowers of student loans,

and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Ms. SMITH):

S. 531. A bill to amend the Higher Education Act of 1965 to make technical improvements to the Net Price Calculator system so that prospective students may have a more accurate understanding of the true cost of college; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL (for himself, Mr. BAR-RASSO, Mr. RISCH, Mr. LANKFORD, Mr. CRAMER, Mr. MARSHALL, Mrs. BLACKBURN, Mr. BUDD, Mr. WICKER, Mr. SCOTT of South Carolina, Ms. LUM-MIS, Mr. BRAUN, Mr. GRASSLEY, Mr. BOOZMAN, Mrs. HYDE-SMITH, Mr. SCOTT of Florida, Mr. LEE, Mr. TUBERVILLE, Mr. CORNYN, Mr. CAS-SIDY, Mr. CRAPO, and Mr. CRUZ):

S. 532. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; read the first time.

By Mr. CASEY (for himself and Mr. DAINES):

S. 533. A bill to assist employers providing employment under special certificates issued under section 14(c) of the Fair Labor Standards Act of 1938 in transforming their business and program models to models that support people with disabilities through competitive integrated employment, to phase out the use of such special certificates, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HEINRICH (for himself and Mr. LUJAN):

S. 534. A bill to withdraw certain Bureau of Land Management land from mineral development; to the Committee on Energy and Natural Resources.

By Mr. HOEVEN (for himself, Mr. BAR-RASSO, Mr. CRAMER, and Mr. DAINES):

S. 535. A bill to streamline the oil and gas permitting process and to recognize fee ownership for certain oil and gas drilling or spacing units, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DAINES (for himself and Mr. CRAMER):

S. 536. A bill to authorize the confiscation of assets of the Russian Federation and the use of such assets to offset costs to the United States of assistance to Ukraine; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. YOUNG (for himself, Mr. BUDD, Mr. CRAMER, Mr. RISCH, Mr. WICKER, Mr. HOEVEN, Mrs. BLACKBURN, Mr. SCOTT of Florida, Mr. PAUL, Mr. SCOTT of South Carolina, Mr. CRAPO, Mr. LEE, Mr. GRASSLEY, Mr. TILLIS, Mr. CORNYN, Mr. HAGERTY, Mr. CRUZ, Mr. MARSHALL, and Mr. TUBERVILLE):

S. 537. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself, Mr. CRUZ, and Mr. SCOTT of Florida):

S. 538. A bill to prohibit the removal of Cuba from the list of state sponsors of terrorism until Cuba satisfies certain conditions, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. SCOTT of Florida:

S. Res. 79. A resolution expressing support for the designation of February 26, 2023, to March 4, 2023, as “National Fentanyl Awareness Week” and raising awareness of the negative impacts of fentanyl in the United States; to the Committee on the Judiciary.

## ADDITIONAL COSPONSORS

S. 27

At the request of Mr. HOEVEN, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Montana (Mr. DAINES) and the Senator from Indiana (Mr. BRAUN) were added as cosponsors of S. 27, a bill to prohibit the Department of Defense from requiring contractors to provide information relating to greenhouse gas emissions.

S. 133

At the request of Ms. COLLINS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 133, a bill to extend the National Alzheimer’s Project.

S. 134

At the request of Ms. COLLINS, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 134, a bill to require an annual budget estimate for the initiatives of the National Institutes of Health pursuant to reports and recommendations made under the National Alzheimer’s Project Act.

S. 176

At the request of Mr. KING, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 176, a bill to amend the Agricultural Trade Act of 1978 to extend and expand the Market Access Program and the Foreign Market Development Cooperator Program.

S. 298

At the request of Mr. MENENDEZ, the name of the Senator from Vermont (Mr. WELCH) was added as a cosponsor of S. 298, a bill to regulate large capacity ammunition feeding devices.

S. 305

At the request of Mr. BLUMENTHAL, the names of the Senator from Virginia (Mr. KAINE), the Senator from Maine (Mr. KING) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 305, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 250th anniversary of the United States Marine Corps, and to support programs at the Marine Corps Heritage Center.

S. 319

At the request of Ms. LUMMIS, the name of the Senator from Ohio (Mr. VANCE) was added as a cosponsor of S. 319, a bill to prohibit the President from issuing moratoria on leasing and permitting energy and minerals on certain Federal land.

S. 399

At the request of Mr. KAINE, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 399, a bill to place limitations on excepting positions from the competitive service, and for other purposes.

S. 459

At the request of Mr. BRAUN, the name of the Senator from Alabama (Mrs. BRITT) was added as a cosponsor of S. 459, a bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America’s public safety officers.

S. 471

At the request of Mr. LANKFORD, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 471, a bill to amend title XIX of the Social Security Act to allow for greater State flexibility with respect to excluding providers who are involved in abortions.

S. 495

At the request of Mr. TESTER, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 495, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to provide assisted living services for eligible veterans, and for other purposes.

S. 501

At the request of Ms. ERNST, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 501, a bill to amend the Act of August 25, 1958, commonly known as the “Former Presidents Act of 1958”, with respect to the monetary allowance payable to a former President, and for other purposes.

S. RES. 74

At the request of Mr. WYDEN, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. Res. 74, a resolution condemning the Government of Iran’s state-sponsored persecution of the Baha’i minority and its continued violation of the International Covenants on Human Rights.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 79—EXPRESSING SUPPORT FOR THE DESIGNATION OF FEBRUARY 26, 2023, TO MARCH 4, 2023, AS “NATIONAL FENTANYL AWARENESS WEEK” AND RAISING AWARENESS OF THE NEGATIVE IMPACTS OF FENTANYL IN THE UNITED STATES

Mr. SCOTT of Florida submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 79

Whereas, as of August 2022, drug overdoses during the previous 12 months claimed a reported 101,552 lives in the United States;

Whereas countless families in the United States are now facing the unimaginable pain

of losing a child, mother, father, sibling, or loved one taken by deadly, illegal fentanyl;

Whereas the life expectancy in the United States has dropped to its lowest point in 2 decades, in part because of street drugs like fentanyl;

Whereas fentanyl is 50 times more potent than heroin, and is considered the deadliest drug threat in the United States;

Whereas drug traffickers use illicit fentanyl to produce fake and counterfeit pills;

Whereas drug traffickers are using fentanyl-laced fake and counterfeit pills to exploit the opioid crisis in the United States;

Whereas those illicit drugs are primarily made in secret factories in Mexico with chemicals mostly from China;

Whereas, without laboratory testing, there is no safe way to know how much fentanyl is concentrated in a pill or powder;

Whereas the Drug Enforcement Agency has issued warnings about brightly-colored fentanyl-laced pills being used to target young individuals in the United States;

Whereas less than 2 milligrams is considered a deadly dose of fentanyl;

Whereas the Drug Enforcement Agency announced that in 2022 alone, the Drug Enforcement Agency seized over 379,000,000 doses of potentially deadly fentanyl, enough to kill every individual in the United States, which included—

(1) more than 50,600,000 fentanyl-laced pills; and

(2) 10,000 pounds of fentanyl powder;

Whereas U.S. Customs and Border Protection seized more than 17,000 pounds of fentanyl in fiscal year 2022;

Whereas fentanyl has also been found in street drugs such as cocaine, heroin, and methamphetamine; and

Whereas, according to data from the Centers for Disease Control and Prevention, fentanyl-related poisonings are currently the leading cause of death for individuals in the United States ages 18 to 49: Now, therefore, be it

*Resolved*, That the Senate—

(1) applauds the work of Federal, State, and local law enforcement agencies for their work in combating the fentanyl crisis;

(2) applauds the work of treatment and recovery organizations that help individuals with substance use disorder;

(3) encourages all individuals to only use medication prescribed by their physician;

(4) encourages individuals suffering from substance use disorder to seek assistance; and

(5) designates February 26, 2023, through March 4, 2023, as “National Fentanyl Awareness Week”.

## ANNOUNCEMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the majority leader, pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, and in consultation with the Chairs of the Senate Committee on Armed Services and the Senate Committee on Finance, the reappointment of the following individual to serve as a member of the United States-China Economic and Security Review Commission: Kimberly T. Glas, of Virginia, for a term beginning January 1, 2023, and expiring December 31, 2024.

MEASURE READ THE FIRST  
TIME—S. 532

Ms. SMITH. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 532) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

Ms. SMITH. I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will receive its second reading on the next legislative day.

ORDERS FOR TUESDAY,  
FEBRUARY 28, 2023

Ms. SMITH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand adjourned until 10 a.m. on Tuesday, February 28; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following

the conclusion of morning business, the Senate proceed to executive session and resume consideration of the Walker nomination, postcloture; that at 11:30 a.m. the Senate vote on confirmation of the Walker nomination and that following the cloture vote on the Whitehead nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; that at 2:15 p.m., if cloture has been invoked on the Whitehead nomination, the Senate vote on confirmation of the nomination; further, that if cloture has been invoked on the Martinez-Olguin nomination, the vote on confirmation be at 4:30 p.m.; finally, that if any nominations are confirmed during Tuesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's actions.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Ms. SMITH. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:30 p.m., adjourned until Tuesday, February 28, 2023, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

VERNELLE TRIM FITZPATRICK, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE GABONESE REPUBLIC.

WILLIAM W. POPP, OF MISSOURI, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF UGANDA.

THE JUDICIARY

S. KATO CREWS, OF COLORADO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF COLORADO, VICE RAYMOND P. MOORE, RETIRING.

MOLLY R. SILFEN, OF THE DISTRICT OF COLUMBIA, TO BE A JUDGE OF THE UNITED STATES COURT OF FEDERAL CLAIMS FOR A TERM OF FIFTEEN YEARS, VICE SUSAN G. BRADEN, TERM EXPIRED.

JABARI BROOKS WAMBLE, OF KANSAS, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF KANSAS, VICE JULIE A. ROBINSON, RETIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be major general*

BRIG. GEN. THOMAS W. HARRELL  
BRIG. GEN. JEANNINE M. RYDER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

*To be colonel*

MAXIMILIAN S. LEE

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

*To be lieutenant commander*

JUSTIN J. REEB